



National Labor Relations Board

Weekly Summary of NLRB Cases

Division of Information

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CASES SUMMARIZED
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Arizona Mechanical Insulation, LLC (28-CA-28622(E); 345 NLRB No. 106) Hereford, AZ Nov. 16, 2005. The Board affirmed the administrative law judge's recommendation, as modified, and ordered that the Applicant, Arizona Mechanical Insulation, LLC (AMI) be awarded \$9,700.04 pursuant to its Equal Access to Justice Act application. No exceptions were filed to the judge's finding that the Applicant is entitled to \$8,402.54 in fees and expenses. The Respondent requested, and the Board added, \$1,297.50 for attorneys' fees incurred in responding to the General Counsel's exceptions. [\[HTML\]](#) [\[PDF\]](#)

By an unpublished Order dated May 20, 2004, the Board adopted, absent exceptions, the judge's dismissal of the complaint alleging that AMI violated Section 8(a)(5) and (1) of the Act by failing to sign the master agreement negotiated in 2002 between the Western Insulation Contractors Association and Asbestos Workers Local 73. The judge found that the evidence did not establish that AMI was bound by the group bargaining.

In his supplemental decision, the judge found that the General Counsel's position—that AMI had made a binding commitment to group negotiations—was not reasonable in law or fact and that there are no special circumstances that would make an award of attorney fees and expenses unjust.

(Chairman Battista and Members Liebman and Schaumber participated.)

Adm. Law Judge Thomas M. Patton issued his supplemental decision May 12, 2005.

DECISION OF ADMINISTRATIVE LAW JUDGE

American Machining Specialties, Inc. (Auto Workers Local 155) Sterling Heights, MI Nov. 17, 2005. 7-CA-48460; JD-82-05, Judge Mark D. Rubin.

LIST OF UNPUBLISHED BOARD DECISIONS AND ORDERS IN REPRESENTATION CASES

*(In the following cases, the Board considered exceptions to and
adopted Reports of Regional Directors or Hearing Officers)*

DECISION AND CERTIFICATION OF REPRESENTATIVE

Standard Register Co., Salisbury, MD, 5-RC-15868, Nov. 17, 2005 (Chairman Battista and Members Liebman and Schaumber)

*(In the following cases, the Board adopted Reports of
Regional Directors or Hearing Officers in the absence of exceptions)*

DECISION AND CERTIFICATION OF RESULTS OF ELECTION

Comcast of Fresno, Inc., Fresno, CA, 32-RD-1479, Nov. 15, 2005 (Chairman Battista and
Members Liebman and Schaumber)

Benchmark Assisted Living, LLC, Waterbury, CT, 34-RC-2122, Nov. 17, 2005
(Chairman Battista and Members Liebman and Schaumber)

*(In the following cases, the Board denied requests for review
of Decisions and Directions of Elections (D&DE) and
Decisions and Orders (D&O) of Regional Directors)*

Atlantic Paratrans of New York City, Queens, NY, 29-RC-10316, Nov. 17, 2005
(Chairman Battista and Members Liebman and Schaumber)

ASR International Corp., Trenton, MI, 7-RC-22901, Nov. 17, 2005 (Chairman Battista and
Members Liebman and Schaumber)

Big Valley Ford, Inc., Stockton, CA, 32-RC-5380, Nov. 17, 2005 (Chairman Battista and
Members Liebman and Schaumber)

Milwaukee Repertory Theatre, Inc., Milwaukee, WI, 30-RC-6619, Nov. 17, 2005
(Chairman Battista and Members Liebman and Schaumber)
